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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,348	12/27/2005	Jurgen Lucrs	2003P07111WOUS	6250
22116 7590 09/07/2007 SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830			EXAMINER HUANG, WEN WU	
			ART UNIT 2618	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/562,348	<b>Applicant(s)</b> LUERS, JURGEN	
	<b>Examiner</b> Wen W. Huang	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 1-12 and 22 are canceled.

Claims 13-21 and 23-25 are pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 13, 16 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 13 requires an internal gateway (fig. 2, WAN transceiver 45) for interfacing a telecommunications device (e.g. another terminal 103) as an external gateway. However, the Examiner submits that no support can be found in the specification to enable one skilled in the art to make and/or use the claimed internal gateway interfacing a telecommunications device as an external gateway.

More specifically, fig. 1 of the specification teaches that MS 19, 23a and 23b are capable of communicating with a mobile radio network (D1/D2) via an internal gateway, WAN transceiver. However, the nowhere in the specification teaches that MS 19, 23a and 23b utilize the internal gateway for interfacing with MS 3a as an external gateway.

Page 11 of the specification teaches the MS 3a using the external gateway 23a (or MS 23a) to communicate with the analog fixed-network PSTN, not the mobile radio network (D1/D2).

Claim 16 requires that wherein only information about external gateways within range of the local-area transceiver defined by at least one of the stored data records is displayed for selection. Claim 17 requires that wherein only information about external gateways within range of the local-area transceiver that have authorized the terminal to establish the connection is displayed for selection.

However, the Examiner submits that the specification of the instant application merely teaches that the terminal should display only the gateways which are really important for the user (see page 5, lines 14-16 of the instant application). Thus, the Examiner submits that no support can be found in the specification to enable one skilled in the art to make and/or use the claimed terminal displaying only information about external gateways within range of the local-area transceiver defined by at least one of the stored data records is displayed for selection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kotzin (US Pub No. 2004/0204076 A1).

Regarding **claim 19**, Kotzin teaches a telecommunications assembly (see Kotzin, fig. 1, subscriber device 103 and notebook 113), comprising:

a telecommunications terminal (subscriber device 103) having a user interaction function adapted to establish a telecommunications connection (see Kotzin, fig. 2, user interface 112, para. [0013]), comprising:

a signaling mechanism adapted for signaling incoming calls to the selected connection (see Kotzin, fig. 2, speaker 219);

an input device adapted for inputting outgoing messages and a telecommunications connections data (see Kotzin, fig. 2, keypad 215, microphone 221);

a display device adapted for displaying incoming messages (see Kotzin, fig. 2, display 217);

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and an external gateway (see Kotzin, fig. 1, notebook 113) for establishing the telecommunications connection (see Kotzin, fig. 1, wireless LAN connection 111; para. [0012], lines 22-23, PSTN 125);

an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207), for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10) and for interfacing to the selection

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mechanism (see Kotzin, fig. 2, keypad), the signaling mechanism (speaker), the input device (microphone), and the output device (display), wherein the telecommunications terminal is configured as a mobile-radio-communications terminal (see Kotzin, para. [0012], lines 3-5), and

an authentication-data input mechanism allowing an authentication-data input (see Kotzin, fig. 2, keypad 215), the authentication-data input mechanism interfacing with the local-area transceiver for transmitting the authentication data (see Kotzin, para. [0021], lines 1-3; "device profile"; para. [0021], lines 9-20); and

an external gateway (see Kotzin, fig. 1, notebook 113), comprising:

a local-area receiver (see Kotzin, fig. 3, LAN transceiver 303; para. [0017], lines 14-18) adapted to receive transmission from telecommunications terminal including the authentication-data input (see Kotzin, fig. 1, LAN wireless connection 111); and

an access control mechanism (see Kotzin, para. [0022], lines 1-2; security firewall) adapted to block traffic to an unauthorized telecommunications terminal based on the authentication-data input and to release traffic to an authorized telecommunications terminal based on the authentication-data input (see Kotzin, para. [0021], lines 9-20 and para. [0022], lines 1-16).

Regarding **claim 20**, Kotzin also teaches the telecommunications assembly according to claim 19, wherein the external gateway excludes a signaling mechanism (see Kotzin, fig. 1, speaker 121, para. [0015]), an input device (keyboard 117), and a display device (display 115).

Regarding **claim 21**, Kotzin also teaches the telecommunications assembly according to claim 19, wherein the local-area transceiver includes a threshold discriminator (see Kotzin, fig. 2, antenna of the LAN transceiver 209) for detecting an entry into the radio transmission range of an telecommunications terminal (see Kotzin, fig. 4, step 403 "detecting external device"), the threshold discriminator is operatively connected to a communications-start control device (see Kotzin, fig. 2, controller 207) for initiating a communications start procedure with the telecommunications terminal after entering into the radio transmission range (see Kotzin, fig. 4, step 409 to 423; para. [0029]).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13-18, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin in view of Wilcock et al. (US. 6,741,864 B2; hereinafter "Wilcock").

Regarding **claim 13**, Kotzin teaches a telecommunications terminal (see Kotzin, fig. 1, subscriber device 103) having a user interaction function adapted to establish a

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telecommunications connection (see Kotzin, fig. 2, user interface 112, para. [0013]), comprising:

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and a plurality of external gateways (see Kotzin, para. [0016], lines 4-6, establishing connections with external devices), each external gateway providing access to a communications network (see Kotzin, para. [0029], lines 1-13);

a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver (see Kotzin, fig. 2, display 217, fig. 4, step 417 and para. [0029], lines 7-13);

an input device (see Kotzin, fig. 2, keypad 215) adapted to select one of the plurality of external gateways displayed by the display device in order to establish the telecommunication connection to the respective communications network via the selected gateway (see Kotzin, fig. 4 step 419, para. [0029], lines 11-16);

an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207), for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10).

Kotzin is silent to teaching that wherein the internal gateway for interfacing to a telecommunications device as an external gateway to allow the telecommunications device to establish a telecommunication connection to the mobile radio communications network via the internal gateway. However, the claimed limitation is well known in the art as evidenced by Wilcock.



In the field of endeavor, Wilcock teaches a telecommunications terminal (see Wilcock, fig. 11, cell phone 20) comprising an internal gateway (see Wilcock, fig. 11, Radio 22) for connecting to a mobile radio communications network (see Wilcock, fig. 11, PLMN 10) and for interfacing to a telecommunications device as an external gateway (see Wilcock, fig. 11, camera 90, I/F 96 and 97) to allow the telecommunications device to establish a telecommunication connection to the mobile radio communications network via the internal gateway (see Wilcock, fig. 11, connection 105, col. 10, lines 10-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin with the teaching of Wilcock in order to utilize data bearer services of cellular radio network (see Wilcock, col. 2, lines 9-14).

Regarding **claim 14**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a Bluetooth standard having loadware adapted for connecting to the gateway (see Kotzin, para. [0015], lines 5-6 and 15-19).

Regarding **claim 15**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a wireless LAN having loadware adapted for connecting to the gateway (see Kotzin, para. [0015], lines 5-6 and 15-19).

Regarding **claim 16**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal according to claim 13, further comprising a user-data memory (see Kotzin, memory 227) adapted for storing connection-data records of a predetermined connection that can be established between the external gateway and the telecommunications terminal (see Kotzin, fig. 2, connection est. 237; para. [0016], lines 4-6), wherein only information about external gateways within range of the local-area transceiver defined by at least one of the stored data records is displayed for selection (see Kotzin, fig. 4, step 417, displaying availability of detected external devices from step 403, para. [0028-0029]).

Regarding **claim 17**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal according to claim 16, further comprising an authentication-data input (see Kotzin, fig. 2, keypad 215) for inputting an authentication data of a user (see Kotzin, para. [0021], lines 1-3; "device profile"), the data authentication-data interfacing with the local-area transceiver for transmitting the authentication data to the gateway (see Kotzin, para. [0021], lines 9-20),

wherein the external gateway determines from the authentication data if the terminal is authorized to establish the connection via the gateway (see Kotzin, para. [0021-0022]), and

wherein only information about the external gateways within range of the local-area transceiver that have authorized the terminal to establish the connection is

displayed for selection (see Kotzin, fig. 4, step 417, displaying availability of detected external devices from step 403, para. [0028-0029]).

Regarding **claim 18**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal according to claim 17, further comprising a processor and memory (see Kotzin, fig. 2, processor 208 and memory 227) to provide PDA functionality that is independent of the telecommunications functions (see Kotzin, para. [0026], lines 12-15, platform independent language).

Regarding **claim 24**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal according to claim 17, wherein the authentication data includes information of a telecommunication terminal authorized to establish the connection to the wireless network via the terminal (see Kotzin, para. [0021]).

Regarding **claim 25**, the combination of Kotzin and Wilcock also teaches the telecommunications terminal 13, wherein the display of the plurality of external gateways within range of the local-area transceiver (see Kotzin, fig. 4, display step 417) includes a cost of using the respective gateway to establish the telecommunication connection (see Kotzin, para. [0029], lines 3-7).

3. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin as applied to claim 19 above, and further in view of Kondou et al. (US Pub No. 2004/0248569 A1; hereinafter "Kondou")

Regarding **claim 23**, Kotzin teaches the telecommunications assembly according to claim 19.

Kotzin is silent to teaching that wherein each local-area transceiver for a plurality of the telecommunication terminals are configured for directly exchanging traffic with each other without the intermediate connection of an external network. However, the claimed limitation is well known in the art as evidenced by Kondou.

In the same field of endeavor, Kondou teaches a telecommunications assembly wherein each local-area transceiver (see Kondou, fig. 1, short range transceiver 12) for a plurality of the telecommunication terminals (see Kondou, fig. 3, portable terminals 1) are configured for directly exchanging traffic with each other without the intermediate connection of an external network (see Kondou, para. [0022], lines 16-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin with the teaching of Kondou in order to decrease the excessive traffic on a communication path (see Kondou, para. [0004], lines 12-14).

***Response to Arguments***

Applicant's arguments with respect to claim 13 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone

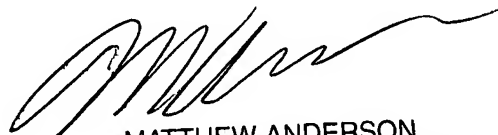
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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wwh

*Wm 8/29/07*

  
MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER